



## NATIONAL MEDIATION BOARD WASHINGTON, D.C. 20572

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### **Expedited Mediation Project**

#### **Background**

The Dunlop II Report, issued in April, 2010, made a number of suggestions for the Mediation program at the NMB. Among other recommendations, the Dunlop II committee suggested that:

A case management system should be put in place that would require development of a plan for each mediation case that would address issues in dispute in a timely and methodical manner and establish a framework for reaching resolution of the mediation case.

The issue of timely processing of cases, and related observations tied to concentrated allocation of resources, identifying cases ripe for intense mediation efforts, and establishing some time lines for mediation, all suggest to the Board that an expedited mediation program would be met with approval by the parties.

#### **The Program**

The goal of the Expedited Mediation is to provide an expedited process for cases in which a concerted push in mediation would likely lead to an agreement. In order to qualify for Expedited Mediation, the parties must:

- Apply for mediation jointly, having shown significant progress in direct negotiations. Significant progress can be demonstrated by presenting a limited number of issues for expedited mediation.

- If both parties request Expedited Mediation, the Board will conduct an initial assessment to determine whether the case is qualified for expedited mediation.
- If the case is accepted, the Board will assist the parties in negotiation of a protocol agreement that will be used to guide expedited mediation and establish expectations.
- Once the protocol agreement is in place, the Board will join the parties in the expedited process, assigning a mediator with a work load cleared to meet the agreed upon expedited schedule.
- Any case accepted into the Expedited Mediation Program will be closely monitored. If all of the requirements for admission to the Expedited Program are met, it will be assumed that there is a strong likelihood that a resolution can be reached during the negotiated expedited schedule. Therefore, in addition to close monitoring by the Chief of Staff, Director of Mediation Services and Senior Mediators, the Board Members will take particular interest in and notice of progress in expedited cases.
- In the event the expedited schedule does not result in an agreement, the Board has complete discretion to determine how to proceed with the case at issue.